

Rejected  
EKD

3/17/2022

Instruction No. \_\_\_\_\_

The right to own private property is a fundamental right and an entity allowed to take private property must pay the owner just compensation. Just compensation is the full and perfect equivalent in money of the property taken and damaged by the project. The landowners are to be put in as good a position monetarily as they would have been in if their property had not been taken.

Compensation must be a full and perfect equivalent for the loss in fair market value to the property caused by the Mountain Valley Pipeline project.

Sources: Va. Const. art. I, § 11.  
United States v. Miller, 317 U.S. 369, 373 (1943);  
Seaboard Air Line Ry. v. United States, 261 U.S. 299, 304 (1923);  
United States v. New River Collieries, 262 U.S. 341, 343 (1923);  
U.S. v. 105.40 Acres, 471 F.2d 207, 210 (7th Cir. 1972);  
Town of Clarksville v. U.S., 198 F.2d 238, 244 (4th Cir. (1952);  
Mayor of Baltimore v. U.S., 147 F.2d 786, 790 (4th Cir. 1945);  
U.S. v. 2.4 Acres, 138 F.2d 295, 297 (7th Cir. 1943);  
Appalachian Power Co. v. Anderson, 212 Va. 705, 708 (1972);  
Anderson v. Chesapeake Ferry Co., 186 Va. 481, 490 (1947);  
Pruner v. State Highway Com., 173 Va. 307, 311 (1939);  
Fonticello v. Richmond, 147 Va. 355, (1927);  
Duncan v. St. Hwy Commission, 142 Va. 135 (1925).